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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR  | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/775,335      | 02/01/2001  | Swinton B. Burkhalter | 102                 | 9209             |

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12/14/2004

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EXAMINER

KALINOWSKI, ALEXANDER G

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

3626

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/775,335

Applicant(s)

BURKHALTER ET AL.

Examiner

Alexander Kalinowski

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Claims 1-6 are presented for examination.

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sexton et al., Pat. No. 5,752,236 (Sexton) in view of Norris, George A., "Satisfactory arrangements: Hooking up with a property-casualty agency (hereinafter Norris) and Smith, Victoria Hall, "Protect yourself" (hereinafter Smith).

As to claims 1 and 3, Sexton discloses A method for forming an insurance plan comprising the steps of:

collecting data concerning multiple insurance coverages, including life (col. 18, lines 61-63), health, disability, major medical, critical illness, long term care and property and casualty,

collecting data about an individual or other risk to be insured (col. 13, lines 28-52);

inputting said data about the individual or other risk and the coverages into a data processing apparatus (col. 13, lines 28-52);

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collecting regulatory requirements (col. 11, line 64 – col. 12, line 17 and col. 19, lines 1-6);

inputting said regulatory requirements into said data processing apparatus (col. 11, line 64 – col. 12, line 17);

comparing said policy with said regulatory requirements (col. 11, line 64 – col. 12, line 17); and

displaying the resulting policy (col. 19, lines 1-6).

Sexton does not explicitly disclose

collecting data concerning multiple insurance coverages including health, disability, major medical, critical illness, long term care and property and casualty

However, Norris discloses collecting data concerning multiple insurance coverages including health, disability, major medical, critical illness, long term care and property and casualty (page 3). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include the aforementioned feature as disclosed by Norris within Sexton for the motivation of the advantages of the multiline concept that generates cross selling activity (page 3).

Sexton and Norris do not explicitly disclose

electing three or more coverages to form a policy.

However, Smith discloses electing three or more coverages to form a policy (pages 1 and 2). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include the aforementioned feature as disclosed by

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Smith within Sexton and Norris for the motivation of providing discounts to customers (page 2).

As to claims 2 and 4, Sexton discloses A method as claimed in claim 1 wherein: the data about an individual includes information concerning one or more of the following subjects: sex, age, marital status, individual medical history, family medical history, usage of alcohol, tobacco and drugs, automobile driving record, credit report, financial statement, criminal record, current medical examination report and results, and any physical disabilities and impairment (col. 17, lines 60-65).

As to claims 5 and 6, Sexton discloses A system wherein: base product data includes the probability of the event insured against occurring, the time value of money, the benefits promised, expenses and profits and contingencies (col. 9, lines 10-64).

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. "Auto-homeowners packages" discloses package insurance.

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b. "Comprehensive cover for small, medium units" discloses package insurance.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Kalinowski, whose telephone number is (703) 305-2398. The examiner can normally be reached on Monday to Thursday from 9:00 AM to 6:30 PM. In addition, the examiner can be reached on alternate Fridays.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Joseph Thomas, can be reached on (703) 305-9588. The fax telephone number for this group is (703) 305-7687 (for official communications including After Final communications labeled "Box AF").

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th Floor, receptionist.



Alexander Kalinowski

Primary Examiner

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12/11/2004